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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

GOOGLE INC.,

Defendant.

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**ORDER REQUESTING CASE  
MANAGEMENT STATEMENTS**

By **NOON ON SEPTEMBER 29, 2011**, counsel for Oracle America, Inc. shall submit a case management statement listing each patent claim it will actually assert at trial and shall explain why the total number of such claims is consistent with prior representations made to the Court. In stating the claims to be tried, counsel must remember that any claim not asserted will be deemed foregone as to all accused matters. By **NOON ON OCTOBER 3, 2011**, counsel for Google Inc. shall state separately as to each such claim the full extent to which counsel concede any such alleged infringement but for any issues of invalidity and shall specify, claim by claim, any and all invalidity defenses to be asserted at trial. By **NOON ON OCTOBER 4, 2011**, both sides shall update the Court on the status of each re-examination pending for each such claim and shall explain why the case should not be stayed in whole or in part until the re-examinations are completed. Counsel are expected to honor their full duty of candor as officers of the court.

Also in the October 4 submissions, all counsel shall state the minimum number of hours needed for all direct and cross examination per side. Also state the extent to which plaintiff's latest damage study rests on copyright issues versus patent issues. All submissions are limited to ten pages. The Court recognizes that some of this information will be provided in the final pretrial statements, but the Court requests the information now in order to manage its overall docket.

## 8 || IT IS SO ORDERED.

10 || Dated: September 26, 2011.

WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE